



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application)
Inventor(s): Kenneth N. Bates)
Reissue Serial No.: 09/628,942)
Original Patent No.: 5,787,049)
Original Patent Issued: 07/28/98)
Reissue Filed: 07/28/00)
Title: Acoustic Wave Imaging)
Apparatus and Method)

REISSUE
PATENT APPLICATION

Art Unit: 3662

Examiner: Lobo, I.

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CERTIFICATE OF MAILING UNDER 37 C.F.R. Section 1.8
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on 3-26-03.

Steven J. Adamson, Reg. No. 32,776

3-26-03
Signature Date

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, DC 20231

Sir or Madam:

This RESPONSE is in reply to the Advisory Action mailed February 26, 2003.

REMARKS

Claims 1-23 (from the original patent) and claims 24-40 (added through reissue) are pending in the case. Applicant notes with appreciation the allowance of claims 24-38, but hereby brings to the Examiner's attention claims 39-40. Claims 39-40 were added by the Amendment submitted December 23, 2002, and depend from claims 38 and 24, respectively. Applicant submits that claims 24-40 should be allowable.

Response to Detailed Action

ITEM 1. In item 1, it is stated that ALL NEW CLAIMS (in this case claims 24-38 [sic, actually 24-40] must be underlined throughout the prosecution of a reissue application. Applicant is confused by this statement because §1.173 paragraph (d) requires matter added to a reissue be underlined, but if a claim added by a reissue is subsequently